

MOSER
PATTERSON &
SHERIDAN, LLP

ATTORNEYS AT LAW

February 3, 2004

Curtis R. Priem
4052 Kettering Terrace
Fremont, CA 94536

Re: U.S. Patent Application entitled:
METHOD AND APPARATUS FOR LATENCY BASED THREAD
SCHEDULING
Our File: NVDA P000455

Dear Curtis,

As I explained during our phone conversation on Monday, February 2nd we are preparing to file the non-provisional patent application for your invention, "Method and Apparatus for Latency Based Thread Scheduling." I have attached a final draft of the application based on the provisional application that was filed on March 27, 2003.

Please review the enclosed draft and provide me with any feedback by sending me the marked draft or by email or phone. If you approve of the enclosed draft, please read and sign the formal documents and mail them to me using the enclosed return envelope.

Thank you very much for your help in preparing this application for filing.

Best regards,



Stephanie Winner

SW:sc

Enclosures

3040 Post Oak Blvd, Suite 1500
Houston, TX 77056-6582
TEL 713.523.4844
FAX 713.623.4846

350 Cambridge Ave, Suite 250
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595 Shrewsbury Ave. Suite 100
Shrewsbury, NJ 07702-4185
TEL 732.530.9404
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	
Priem, Curtis R.	§	
Serial No.: Unknown	§	Group Art Unit: Unknown
Confirmation No.: Unknown	§	
Filed: Herewith	§	Examiner: Unknown
For: METHOD AND APPARATUS FOR	§	
LATENCY BASED THREAD	§	
SCHEDULING	§	

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.47(b) TO
FILE AN APPLICATION ON BEHALF OF INVENTOR
CURTIS R. PRIEM**

Dear Sir:

We are submitting this petition under 37 CFR 1.47(b) requesting that NVIDIA Corporation be permitted to file the application entitled, "METHOD AND APPARATUS FOR LATENCY BASED THREAD SCHEDULING" on behalf of inventor Curtis R. Priem. Filing of the application is necessary to preserve the rights of NVIDIA Corporation.

We have made numerous efforts to contact Mr. Curtis Priem, at the address provided by his employer, NVIDIA Corporation, as described in the attached declarations. Additionally, on February 2, 2004, Mr. Curtis Priem orally expressed his refusal to sign a declaration or assignment for the application.

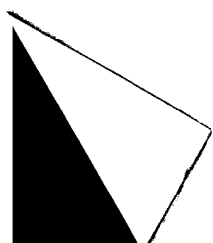
Therefore, we ask that his signature be waived and that NVIDIA Corporation be permitted to file the application on his behalf.

03/23/2004 SSITHIB1 00000051 200782 10804945
02 FC:1460 130.00 DA

Respectfully submitted,

By: 
Stephanie Winner, Reg. No. 52,371

MOSER, PATTERSON & SHERIDAN, LLP
350 Cambridge Ave., Suite 250
Palo Alto, California 94306-1550
Telephone: (650) 330-2310
Facsimile: (650) 330-2314



**DECLARATION UNDER 37 CFR 1.47(b) TO
FILE AN APPLICATION ON BEHALF OF INVENTOR
CURTIS R. PRIEM**

Dear Sir:

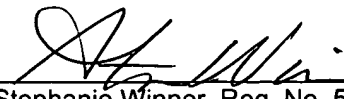
On January 14, 2004, I signed a letter instructing inventor Curtis Priem to review a draft application and sign a declaration and assignment if he approved of the draft. I instructed Sherry Castro to send two packages to Curtis Priem via FedEx, one requiring a signature from the recipient and one to be delivered without requiring a signature. Each package included the letter, application, declaration, and assignment. According to the FedEx tracking information, the package not requiring a signature was left on January 15, 2004. According to the FedEx tracking information, the package requiring a signature was refused by the recipient at 10:31AM on January 16, 2004. I have in my possession the unopened package requiring a signature, which was returned to me by FedEx.

On February 2, 2004, I called Curtis Priem at (510) 793-9522. He informed me that he would not sign the declaration or assignment. He stated that he is currently in a dispute with NVIDIA and was not reviewing draft patent applications. I informed him that I would send another package including the draft application, declaration, and assignment. I also requested that if he were to change his mind at some point in the future that he review the application and consider signing the declaration and assignment.

On February 2, 2004, I instructed Sherry Castro to send two packages to Curtis Priem via FedEx. According to the FedEx tracking information, both packages were delivered to him on February 4, 2004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

By: 
Stephanie Winner, Reg. No. 52,371

MOSER, PATTERSON & SHERIDAN, LLP
350 Cambridge Ave., Suite 250
Palo Alto, California 94306-1550
Telephone: (650) 330-2310
Facsimile: (650) 330-2314

**DECLARATION UNDER 37 CFR 1.47(b) TO
FILE AN APPLICATION ON BEHALF OF INVENTOR
CURTIS R. PRIEM**

Dear Sir:

On January 14, 2004, I prepared two FedEx Letter labels addressed to Curtis Priem, 4052 Kettering Terrace, Fremont, CA 94536. One label required a signature from the recipient for delivery of the package, the other authorized the FedEx courier to leave the package without a signature. After review of the contents of both packages by Stephanie Winner, I dropped the two packages in the FedEx box located in the U.S. Post Office building at 265 Cambridge Avenue, Palo Alto, CA 94306.

On February 3, 2004, I prepared two FedEx Letter labels addressed to Curtis Priem, 4052 Kettering Terrace, Fremont, CA 94536. One label required a signature from the recipient for delivery of the package, the other authorized the FedEx courier to leave the package without a signature. After review of the contents of both packages by Stephanie Winner, I dropped the two packages in the FedEx box located in the U.S. Post Office building at 265 Cambridge Avenue, Palo Alto, CA 94306.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

By: 

Sherry Castro

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**MOSER
PATTERSON &
SHERIDAN, LLP**
— ATTORNEYS AT LAW

January 14, 2004

Curtis R. Priem
4052 Kettering Terrace
Fremont, CA 94536

Re: U.S. Patent Application entitled:
METHOD AND APPARATUS FOR LATENCY BASED THREAD
SCHEDULING
Our File: NVDA P000455

Dear Curtis,

Thank you for referring me to Jay Duluk regarding my interest in working with NVIDIA as a patent agent. I've really enjoyed reacquainting myself with graphics technology.

Currently, we are preparing to file the non-provisional patent application for your invention, "Method and Apparatus for Latency Based Thread Scheduling." I have attached a final draft of the application based on the provisional application that was filed on March 27, 2003.

Please review the enclosed draft and provide me with any feedback by sending me the marked draft or by email or phone. If you approve of the enclosed draft, please read and sign the formal documents and mail them to me using the enclosed return envelope.

Thank you very much for your help in preparing this application for filing.

Best regards,



Stephanie Winner

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